

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**
- Northern Division -

SEAN JEFFREY THOMPSON	*	
	*	
Plaintiff,	*	
	*	
v.	*	Civil Action No.: WDQ 1:02-CV-1989
	*	
DETECTIVE STEPHEN MARTIN,	*	
OFFICERS JOHN DOE 1-10, and	*	
THE BALTIMORE CITY	*	
POLICE DEPARTMENT	*	
	*	
Defendants	*	

PLAINTIFFS' PROPOSED VOIR DIRE AND REQUEST FOR ROLL CALL

COME NOW, Plaintiff Sean Jeffrey Thompson, by his undersigned attorneys, pursuant to Federal Rule 47, respectfully request permission of the Court to conduct an examination and roll call of prospective jurors, or, in the alternative, that the Court interrogate the prospective jurors as follows:

1. The Plaintiff is an individual presently residing in Hagerstown, Washington County, Maryland. Do you, or does any member of your immediate family or any close friend, know of Sean Jeffrey Thompson??
2. Defendant Stephen Martin resides in Baltimore, Maryland and is a Detective with the Baltimore City Police Department. Do you, or does any member of your immediate family or any close friend, know of Detective Martin?
3. Another Defendant is the Baltimore City Police Department. Do you, or does any member of your immediate family or any close friend work for the Baltimore City Police Department?

4. Mr. Thompson is represented by Robert S. Brennen and Todd M. Reinecker of the law firm of Baltimore law firm of Miles & Stockbridge, P.C. Detective Martin is represented by Troy A. Priest of the Baltimore law firm of Brown Sheehan. The Baltimore City Police Department is represented by Kim Johnson-Ball of the Baltimore City Police Department Office of Counsel. For much of this case, the Baltimore City Police Department had been represented by Peter Saar, then also of the Department's Office of Counsel. Do you, or does any member of your immediate family or any close friend, know of these attorneys or their respective law firms?

5. This lawsuit was initiated by Mr. Thompson alleging assault and battery by Detective Martin in his capacity as an employee of the Police Department against Mr. Thompson while Mr. Thompson was in Detective Martin's custody on March 29, 2002. Mr. Thompson further alleges that the assault and battery, and the alleged customs and practices within the Police Department that created an atmosphere in which such an assault and battery could take place, violated Mr. Thompson's rights under the Constitution of the United States of America. Have you, or any members of your immediate family or any close friend, heard anything about this case?

6. Do you, or any member of your immediate family or any close friend, have knowledge of this case from any source?

7. In addition to Mr. Thompson and Detective Martin, the following individuals may be called to testify at the trial of this matter or may be referred to in the course of testimony by others. Are you, or is any member of your immediate family or any close friend, acquainted with any of the following witnesses who may testify in this case:

1. Detective Michelle McClosky
2. Officer Marc Kahler
3. Officer Robert Neuens

4. Officer Torrence D. Barbouro.
5. Lisa Lascola
6. Brian Pesto

8. The trial in this matter is expected to last less than two (2) days. Does the nature of this case, or the length of this trial, prevent any of you from rendering a fair and impartial verdict based solely on the evidence and instructions of this Court?

9. Have you, or has any member of your immediate family or any close friend, ever been a plaintiff, defendant, or witness in a civil action involving claims of assault, battery, or violations of constitutional rights?

10. Have you, or has any member of your immediate family or any close friend, ever been employed by a police department or similar law enforcement agency?

11. As mentioned, the Plaintiff, Mr. Thompson, was in police custody at the time of the alleged assault and battery. Do you think that fact will in any way prevent you from rendering a fair and impartial verdict based solely on the evidence and instructions of this Court?

12. Do you have any personal knowledge of this case, or any of the facts or occurrences that may have bearing in this case, or have you developed any preconceived opinions or ideas with respect to the issues in this case?

13. Have you ever served on a jury in the past? If so, when was your service, what type of case was it, and did the jury reach a verdict.

14. Have you, or has any member of your immediate family or any close friend, ever been employed in the legal profession - as a lawyer, judge, legal secretary, paralegal, etc.? If so, please indicate the relationship and the nature of the employment.

15. Although not in the legal profession, some of you may have had any training in law. The law as it applies to this case will be given to you by the Court at the end of this case. If there are any conflicts between what I tell you and what you think the law may be, will you listen only to my instructions and follow them? Can you disregard what you believe the law is?

16. Do you know anyone else on the jury panel? Do you have any contact at all with any person here in this room?

17. Do you know of any reason not previously mentioned that would prevent you from deciding this case impartially and fairly, and based solely on the evidence presented?

If your answer to any of the foregoing questions is in the affirmative, do the circumstances requiring the affirmative answer prejudice you in any way, or prevent you from limiting your decision in this case to the evidence presented in this courtroom?

WHEREFORE, Plaintiff respectfully request a roll call of the prospective jurors.

Dated: September 7, 2004

/s/
Robert S. Brennen (04499)
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